

produce the Cyber Incident Notification Act of 2021.

As the chairman has mentioned, this is a bipartisan bill that is broadly supported. It would strengthen our response to cyber attacks and, thus, help to prevent future cyber intrusions. It would require government Agencies, Federal contractors, and critical infrastructure entities, which are overwhelmingly owned and operated by the private sector and other important sectors, to notify the U.S. Government if they become the victims of a significant cyber attack or intrusion.

This effort is a direct outgrowth of our work on the Senate Intelligence Committee and reflects our longstanding concern regarding the lack of timely notification of cyber attacks that can lead to extremely serious consequences for our economy, for our national security, and for our individual privacy.

In September of 2019, for example, Russian hackers gained access to the SolarWinds' software. This resulted in a supply chain compromise that was downloaded by up to 18,000 of its customers. These hackers then conducted follow-on operations that compromised 9 Federal Agencies and 100 private-sector networks.

We did not become aware of this hack until more than a year later and only then because a cybersecurity firm called FireEye voluntarily notified the Federal Government and the public.

Just to reiterate that important point, FireEye was under no legal obligation whatsoever to tell us that the software had been compromised, even though it affected nine Federal Agencies. We are grateful that FireEye told us about this hack, but the fact that companies are not mandated to do so leaves our economy and national security vulnerable to future attacks and lessens our ability to respond effectively when such intrusions do occur.

Where would we be right now if FireEye had not voluntarily disclosed the intrusion? Would the Russians' operation still be ongoing? How much sooner would we have become aware of these Russian cyber operations if key sectors were required to report cyber incidents to the U.S. Government?

As the Senator from Virginia very kindly and generously noted, I have long been concerned about this problem and focused on it.

In 2012, when I was the ranking member of the Senate Homeland Security Committee, I joined with my chairman and dear friend former Senator Joe Lieberman of Connecticut in introducing a bill called the Cybersecurity Act of 2012. That bill would have, among other things, addressed this gap in cyber incident reporting. Unfortunately, our bill did not become law. How much more prepared we would be today if it had been enacted.

My 2012 bill would have led to improved information sharing between the private sector and the Federal Government that likely would have re-

duced the impact of cyber incidents on both the government and the private sector. Having a clear view of the dangers the Nation faces from cyber attacks is necessary to enable both the public and the private sector to mitigate and reduce the threat. We have just recently seen the impact of an attack on a major pipeline. Just think what the consequences would be of an attack that crippled our electric grid.

What we are proposing in the Cyber Incident Notification Act is common sense and long overdue. Our bill recognizes the additional burden that this reporting requirement places on parts of the private sector, and so it, therefore, provides additional liability protection for companies reporting cyber incidents and requires the government to harmonize these new mandates with any existing reporting requirements to help avoid duplication.

The bill also requires the government to produce analytic updates for the government and industry practitioners regularly so that they are aware of cyber incidents taking place and targeting their sectors. This should be a two-way street of the exchange of information.

Let us not delay any longer in passing a robust cyber incident notification requirement. Failure to pass this bill will only give our adversaries more opportunity to gather intelligence on our government, to steal intellectual property from our companies, to compromise our personal privacy, and, most of all, to harm our critical infrastructure.

Again, my thanks to the Senator from Virginia, the chairman of the Intelligence Committee, for his hard work on this bill. Let's get the job done.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BARRASSO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SCHATZ). Without objection, it is so ordered.

NOMINATION OF TRACY STONE-MANNING

Mr. BARRASSO. Mr. President, I come to the floor today to oppose the nomination of Tracy Stone-Manning to be the Director of the Bureau of Land Management.

This morning, the Senate Energy and Natural Resources Committee voted on her nomination. Every Republican on the committee voted no. Before our business meeting was over, Senator SCHUMER came to this floor, to that desk, and he praised this nominee to the skies. President Biden and the Democrats have wrapped their arms around this nomination, and they won't let go.

So the question is, Who is this nominee whom the Democrats are embracing and every Republican voted against? Well, Tracy Stone-Manning is a graduate student who collaborated with ecoterrorists. Now, these are people who hammered hundreds of metal spikes—500 pounds of metal spikes—into trees in our national forest in Idaho. This is the kind of metal spike that they used—10 inches long, very thick; 500 pounds of these into the national forest.

Tree spiking involves nailing, hammering these rods into a tree. What happened? Why did they do that? Well, they want to stop progress in terms of logging. They want to stop progress in terms of firefighting. Because if a logger or a firefighter were to hit this rod with a chain saw, the chain saw would shatter. Devastating injuries have occurred as a result. If the saws used in timber mills or sawmills were to hit one of these as they are planing through the tree to produce boards, the entire blade shatters. It has been described to me by someone who has worked in one of these mills—it is like a hand grenade going off, damaging people all around in the vicinity. Well, the results can be fatal, and there are examples around the country where this has actually happened. Now, even the Washington Post has labeled tree spiking as ecoterrorism.

Tracy Stone-Manning, as a member of a radical group, edited, typed, and then anonymously sent a profanity-laced letter threatening the U.S. Forest Service. Here are just a few quotes from the letter.

She typed:

You bastards go in there anyway and a lot of people could get hurt.

She typed:

I would be more than willing to pay you a dollar for the sale, but you would have to find me first and that could be your WORST nightmare.

This is the letter she typed to the U.S. Forest Service. She then mailed this threatening letter to the target of the tree spiking, and the target was the U.S. Forest Service.

She and her circle were investigated. They were investigated for their involvement with this ring of ecoterrorists and this ecoterrorist attack that actually occurred to the U.S. forest. She was subpoenaed. She was ordered to give hair sampling, palm sampling, handwriting sampling, and fingerprint samples to the investigators.

She knew full well who the tree spikers were, and she could have easily gone to the authorities to identify them. She didn't. She covered it up for 4 years. She refused to cooperate with investigators.

Recently, within the last couple of months, Tracy Stone-Manning came before the Senate Committee on Energy and Natural Resources. She came for her confirmation hearing. Since that hearing and the statements that she made to the committee and affidavit she swore under oath and signed,

since that time, in the last couple of months and more recently than that—actually last week in one case—several people involved in her original case have come forward to the press and to the committee to set the record straight from the record and the story that she told the committee at the time.

So the lead investigator on this case wrote a letter to Chairman MANCHIN and to me. I am the ranking member on the committee. That investigator, who I will tell you has worked as a special criminal investigator for the U.S. Government for 28 years, has been a longtime member of the U.S. military, served in Vietnam, and retired as a criminal investigator because of death threats made to him and to his family by the group who worked on this ecoterrorism—he retired from that. But he wrote to the committee. He came forward, and he said that she was the nastiest of suspects. He said that not only did she have knowledge of the plan to spike the trees, he said she was one of the planners.

He wrote to us and said:

It became clear that Ms. Stone-Manning was an active member of the original group that planned the spiking of the Post Office Timber Sale.

So there he is, a criminal investigator. Then just last week, one of the convicted tree spikers, one of the people who actually went to jail because of that—he came forward in an interview in the press. In an interview with E&E News, the convicted tree spiker confirmed that Tracy Stone-Manning knew of the plan to spike the trees, in his words, “well in advance.”

Now, according to the investigator's letter, Ms. Stone-Manning's lack of co-operation actually set back their initial investigation many years. Eventually, when she was identified and received an investigation target letter, she had to make a decision. The lead investigator said she only agreed to testify after she was caught and after her lawyer negotiated an immunity deal.

Tracy Stone-Manning—she helped plan the tree spiking. She covered up for the terrorists and their activity for years. She refused to cooperate with authorities, and she only testified when she was caught and given immunity.

After all this, she created a story and lied to our committee about the incident. On a sworn affidavit to her committee questionnaire, she said it was an alleged tree spiking and that she was not the subject of an investigation.

I specifically asked her: Did you have personal knowledge of, participate in, or in any way directly or indirectly support activities associated with the spiking of trees in any forest during your lifetime? Her response under oath was no.

Both the cop, the criminal investigator, and the criminal, the man who went to jail as the group went to jail for this—they both came forward after

her hearing to say that Tracy Stone-Manning was lying to the Senate.

Over the past 30 years, she has made contradictory statements about the ecoterrorist incident and the network. In 2013, she told a Montana State Senate committee that she was intimidated into sending the letter by a stranger. Yet, in courtroom testimony, she admitted that the tree spikers were her friends. She was one of the ring leaders of the group.

There are many qualified Democrats who could run the Bureau of Land Management. Within the Federal Government, this is the group who oversees one-eighth of all the land in the United States. It is astonishing to me that Democrats are digging in to defend a proven liar and an ecoterrorist collaborator.

So Senator SCHUMER came to the floor today and made it very clear that he is going to support this deeply flawed nominee. Will other Democrats do it as well? Will other Democrats who have millions of acres of BLM land in their States—will they join him?

Things have certainly changed, and it is interesting what has happened to the Bureau of Land Management and the nominees, because President Obama's BLM Director, Bob Abbey, came forward. He said that her actions should disqualify her from leading this important Agency. We are talking about President Obama's Director of the Bureau of Land Management says her history and her past and her activities should disqualify her.

One Biden administration official admitted to NBC News—this was in the last week—her nomination was described as “a massive vetting failure”—“a massive vetting failure.”

Now, there is going to be more to say about this nominee when an attempt is made to discharge her out of the committee, if they get to that point, a cloture vote on the floor, and again, a vote on confirmation. Lots to be said. More information will come out.

It is just hard for me, as the ranking member of that committee, to imagine a nominee more disqualified than Tracy Stone-Manning. She has collaborated with ecoterrorists, she has lied to the Senate, and she continues to harbor truly extremist views that most Americans find reprehensible.

I strongly oppose her nomination. I urge all of my colleagues to do the same. Tracy Stone-Manning is unfit to serve.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

REMEMBERING MACNOLIA COX

Mr. BROWN. Mr. President, earlier this month, Zaila Avant-garde became the first Black American to win the Scripps National Spelling Bee. It is kind of discouraging in the year 2021 that barrier still needed breaking.

Her achievement is an inspiration for so many students around the country.

She drew strength and courage from another trailblazer who had gotten significant less attention, whose story has not been told and honored the way that Zaila was.

In 1936, 13-year-old MacNolia Cox from Akron, OH, became one of the first two Black students to compete in the National Spelling Bee. She qualified after winning the regional competition that went 60–6–0—rounds, sponsored by the Akron Beacon Journal. Black communities across the country cheered her victory. They looked forward to her joining the national competition. She was celebrated at churches and clubs, talked about by celebrities, and even politicians. At the RKO Palace in Cleveland, band leader Fats Waller, tap dancer Bill Robinson, whom we know, whom history knows as Mr. Bojangles, brought her on stage.

Three thousand Ohioans came to Akron's Union Station to send MacNolia off on her journey to Washington. She had little idea the treatment she would endure at the tip of the Jim Crow South. She was forced to ride—she is, essentially, Ohio's representative at the National Spelling Bee, a 13-year-old Black—I was going to say Black young woman—Black girl from Ohio. She was forced to ride in segregated train cars. She was forced to stay at a private home instead of at the Willard hotel.

Nine years later, my parents—my dad came from overseas, my mom from Mansfield, GA—met at the Willard hotel at the end of his service in World War II.

She could not stay at the Willard hotel because she was African American, while all the other White competitors did. At a dinner for the finalists, she and her mother were forced to enter through the kitchen door of the hotel and sit at a separate table segregated from the other finalists. How shameful that was.

Despite it all, MacNolia Cox made it far in the competition. There were only five students left when the judges gave her a proper noun to spell. She hadn't studied it. Proper nouns were supposed to be off limits. The judges had had enough of a Black girl getting that far. They wouldn't listen to the Beacon Journal reporter, who covered her to report on the competition. She pointed out to the judges that the judges—the judges—weren't following their own rules. She was eliminated. Of course, she was. Her achievements, her story soon faded from memory until now.

Zaila Avant-garde talked to the media about scrolling through pictures of national spelling bee contestants with her father, seeing face after face that didn't look like hers.

It reminds me, yesterday, I had breakfast with the Secretary of the Treasury at the Treasury Department. To get to her office—her office, “her,” I reiterate—you walk down a long, long, long hallway. Every picture in the hallway are people who look like me. They were Secretaries of the